

RECEIVED

8-0
RJ

PATENT

AUG 24 2001

TECH CENTER 1600/2900

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



In re Application of:

Wolf-Georg FORSSMANN et al.

Serial No.: 09/508,095

Group Art Unit: 1653

Filed: March 16, 2000

Examiner: F. Moezie

For: BIFIDOGENIC PEPTIDES

RESPONSE TO NOTICE TO COMPLY WITH SEQUENCE RULES

Assistant Commissioner of Patents
Washington, D.C. 20231

Sir:

In accordance with the Notice to Comply with sequence rules 37 CFR 1.821 – 1.825, a copy of which is attached, hereto, applicant submits, herewith:

- (1) Computer Readable Form (CRF) of Sequence Listing; and
- (2) Substitute paper copy of Sequence Listing.

The content of the computer readable form and the paper copy are the same and, where applicable, include no new matter, as required by 37 CFR § 1.821(e), § 1.821(f), § 1.821(g), § 1.825(b), or 1.825(d).

Favorable action is requested.

Respectfully submitted,

By


William E. Player
Registration No. 31,409

JACOBSON HOLMAN PLLC
400 Seventh Street, N.W.
Washington, D.C. 20004
Telephone: (202) 638-6666
Atty. Docket No.: P65141US0
WEP/vjb

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
09/508,095	3/16/00		



RECEIVED

AUG 24 2001

TECH CENTER 1600/2900

EXAMINER	
F.T. MOEZIE	
ART UNIT	PAPER NUMBER
1653	4

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application
Commissioner of Patents

This application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 CFR 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR 1.821 through 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequence And/Or Amino Acid Sequence Disclosures.

Note: Upon compliance with the requirements applicant must also amend the application to provide the SEQ ID NOS in THE SPECIFICATION (at least in the first occurrence), in ALL EXAMPLES, TABLES and THE CLAIMS.

Applicant is given ONE MONTH, or THIRTY DAYS, whichever is longer, from the date of this letter within which to comply with the sequence rules, 37 CFR 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 CFR 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). In no case may an applicant extend the period for response beyond the SIX MONTH statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to F.T. MOEZIE whose telephone number is (703) 305-4508.

F.T. Moezie
F.T. MOEZIE, Ph.D.
PRIMARY EXAMINER
ART UNIT 1653

NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821 - 1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 CFR 1.821 - 1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990 and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CFR 1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CFR 1.822 and/or 1.823, as indicated on the attached marked-up copy of the "Raw Sequence Listing."
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CFR 1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CFR 1.821(e).
- 7. Other: _____

Applicant must provide:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing"
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e) or 1.821(f) or 1.821(g) or 1.825(b) or 1.825(d)

For questions regarding compliance with these requirements, please contact:

For Rules Interpretation, call (703) 308-1123
For CRF submission help, call (703) 308-4212
For PatentIn software help, call (703) 308-6856

FM
Please return a copy of this notice with your response.

#4